

EXHIBIT 40

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 - - -

5 IN RE: NATIONAL PRESCRIPTION : MDL NO. 2804
6 OPIATE LITIGATION :

7 _____
8 :

9 THIS DOCUMENT RELATES TO: : Case No. 17-md-2804
10 : Judge Dan A. Polster

11 Track Eight :
12 _____
13 :

14 Monday, July 31, 2023

15 HIGHLY CONFIDENTIAL
16 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

17 Remote deposition of DEANNA L. BUNCH,
18 commencing at 10:01 a.m., on the above date, before
19 Carol A. Kirk, Registered Merit Reporter, Certified
20 Shorthand Reporter, and Notary Public.

21
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14 ALSO PRESENT:

15 Brannen Wilson, Publix
Bill Hammond, Publix
16 Jonathan Jaffe
Gina Veldman, Trial Tech

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1	INDEX TO EXHIBITS		
2	BUNCH	DESCRIPTION	PAGE
3	Exhibit 1	Personnel file Bates-stamped	64
4		PUBLIX-MDLT8-00150260 through	
		150571	
5	Exhibit 2	E-mail string ending with an	259
6		e-mail to Pharmacy 0711 from	
7		L. Jacobson, dated 1/2/2021,	
		Bates-stamped PUBLIX-MDLT8-	
		00082267 through 82334	
8	Exhibit 3	E-mail string ending with an	273
9		e-mail to C. Madill from	
10		M. Chavez, dated 10/24/2020,	
		Bates-stamped PUBLIX-MDLT8-	
		00081535 through 81537	
11	Exhibit 4	E-mail string ending with an	289
12		e-mail to Pharmacy 1096 from	
13		L. Jacobson, dated 5/10/2019,	
		Bates-stamped PUBLIX-MDLT8-	
		00075451 through 75453	
14	Exhibit 5	E-mail string ending with an	289
15		e-mail to L. Jacobson from	
16		Pharmacy 1096, dated 5/14/2019,	
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		00075543 and 75544	
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P R O C E E D I N G S

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THE COURT REPORTER: Good morning.

5

We are now on the record. My name is

6

Carol Kirk. I am a court reporter for

7

Golkow Litigation Services.

8

Today's date is July 31, 2023, and

9

the time is 10:01 a.m.

10

This remote deposition is being

11

held in the matter of In Re: National

12

Prescription Opiate Litigation, Track 8,

13

for the United States District Court,

14

Northern District of Ohio, Eastern

15

Division. The deponent is DeAnna Bunch.

16

All parties to this deposition are

17

appearing remotely and have agreed to

18

the witness being sworn in remotely.

19

Due to the nature of remote

20

reporting, please pause briefly before

21

speaking to ensure all parties are heard

22

completely.

23

All counsel will be noted on the

24

stenographic record.

1

- - -

2

DEANNA L. BUNCH

3

being by me first duly sworn, as hereinafter

4

certified, deposes and says as follows:

5

CROSS-EXAMINATION

6

BY MS. BURNS:

7

Q. Good morning, Ms. Bunch. My name

8

is Sarah Burns. I'm an attorney with Simmons

9

Hanly Conroy, and I represent Cobb County and

10

also plaintiffs in the multi-district

11

litigation. I'm joined today by my partner,

12

Holly Nighbert.

13

A. Hi, good morning.

14

Q. Would you please spell your full

15

name for the record.

16

A. Sure. My first name is DeAnna,

17

and that's D-e-A-n-n-a, middle name Leigh,

18

L-e-i-g-h, last name Bunch, B-u-n-c-h.

19

Q. Thank you.

20

Is this the first time that you've

21

ever been deposed?

22

A. No.

23

Q. Okay. When have you been deposed

24

before?

1 think I am always thinking of Cobb County when
2 I'm, you know, filling prescriptions. Obviously
3 my pharmacy is in Cobb County, so, you know,
4 99 percent of my patients live in Cobb County.

5 But, of course, I'm in an area
6 where Cobb County, Paulding, and Bartow are
7 just -- they all connect. So we're just at that
8 little corner right between Acworth,
9 Cartersville, and Dallas.

10 So I don't, you know, have a
11 mindset of is this doctor and is this patient in
12 Cobb County. I think, you know, is this close,
13 is this appropriate, is this reasonable, those
14 sorts of things. But I'm sorry. I don't think
15 just about Cobb County.

16 Q. Do you have any names of
17 physicians in your mind right now who you
18 believe may be inappropriately prescribing
19 opioids?

20 MS. SMITH: Object to form.

21 A. Like I said, I worry about them,
22 but I can't necessarily prove that they're
23 inappropriately -- and, of course, my -- I don't
24 know.

1 Q. I'm not asking you to prove it.

2 I'm just -- and you're under oath today. I'm
3 asking do you have any names of physicians in
4 your mind right now who you worry are
5 inappropriately prescribing opioids?

6 MS. SMITH: Object to form.

7 A. So you want the names, or do you
8 want me to say --

9 Q. I do.

10 A. Okay. I just can't think of where
11 these offices are, so I'm just not even sure if
12 they're in Cobb County.

13 Q. It doesn't matter if they're in
14 Cobb County.

15 A. Okay. Gigi Bell-Wade.

16 Q. That's Wade?

17 A. I think it's hyphenated,
18 Bell-Wade.

19 Q. Okay.

20 A. I'm so sorry. I'm trying to think
21 of names, but I'm like -- I don't know if you do
22 this with your brain, but when you're at work,
23 you're at work, and your brain -- you know, your
24 brain goes into work mode. And when you're not